

1888-002
Lee Co.

Chancery Causes: William M. Young vs. William D. Jones &c

Mills, Lipp's, Pridemore

CA-Debt
T-Property
Migration

-Deed

\$3.000⁰⁰

CR. 1/2 by 1000 00
check for 1000 00
paid 8/18/88
J. B. Mills

One year after date, with interest
from date, I promise to pay to William M
Horsing Three thousand dollars for value re-
ceived of him. I hereby waive my homestead
exemption as to this debt. This note is for cash
obtained my hand and seal this 25 day of

J. B. Mills Seal
Wm. J. J. J.
G. M. J. J.

Seal
Seal

"Boni"

To The Hon. A. S. K. Morrison Judge
of the Circuit Court of Lee
County Virginia:

Your orator
Wm. M. Young, humbly com-
plaining would respectfully
represent that, on the 25th
day of May 1887, J. B. F. Mills
Wm D. Jones and D. M. Lipps
executed their joint and several
writing obligatory to your ora-
tor for the sum of \$3,000.00 due
and payable one year after
the date thereof and waived the
benefit of their Homestead ex-
emption as to the payment
thereof. Upon this bond there
was by the said Jones paid
\$1000.00 on 8th of June 1888. The
residue is wholly due your
orator. Said bond is hereint
filed make "Bond" and is prayed
to be considered as part hereof.

This bond is a part of the
purchase price of a valuable
parcel of land on that day
sold & conveyed by your or-
ator to Wm D. Jones the price
of which was \$10,000.00

Upon the face of said deed
the Contract price, and times of
payment are fully shown as
follows viz: \$1000. to be paid &
was paid in three months from
said date. And the land here
run on to be paid as stated.

As said deed shows upon
its face the amt. and times of
payment, it is as your orator
is advised a substantial retain-
ing of the vendors lien, for such
payments; and this your orator
alleges is the object for which
said statements were made in
said deed. A copy of this
deed marked "Deed" is here
also filed ~~marked~~ and is prayed
to be considered as part hereof.

Your orator charges that the
said sale was made to said
Jones who is the principal
creditor, and that said conveyance
was made to him. That said
Jones is a non-resident of this
state, and resides in the state
of Pennsylvania and City of
Philadelphia, but that he owns

estate and effect in this County
viz the tract of land in said
Deed mentioned and set out

The object of this bill therefore
is to enforce the payment of the
sums due as aforesaid, by the
enforcement of the lien aforesaid
which your orator charges he has
upon said land. And to attach
and hold liable said estate and
lands by attachment thereof for the
payment of the same, and to have
so much thereof as may be nec-
essary sold as will pay the
same. And for a decree against
all of said obligors for the same.
To affect which he prays that
Wm D. Jones, J. B. H. Mills and
D. M. Lipps be made parties
defendants to this bill and that
they be required to answer the
same. That said lien be enforced
against said lands; that same
be attached and held liable for
the payment of the sums here-
under now due. That the same
or so much thereof be sold as
may be necessary to pay the
same and the costs of this suit

C 12.46
 S 1.00
 D 5.00
 A 15.00
 Estimate

W.H.
 Wm M. Young
 v. Bill Chy

Wm D. Jones

1888 1st Nov Rule Bill
 filed 3d & 2d in house
 referred to D. W. as to
 them, Order Rule & Court
 2d Nov Rule D. W. as to
 Conf. Order Rule & Court
 3d & 4th Nov Rule & Court

And per cell after further and
 General relief may be
 issued.
 Wood & Fenderson

Wm M. Young

against

Wm D. Jones et al,

In chf.

This cause came on this day to be heard upon the bill of the plff taken for confessed, with exhibits filed and order of publication duly made & posted, and was argued by Counsel. On consideration of which and for reasons appearing to the Court it is adjudged ordered and decreed that the plff Wm M. Young recover from the defendants Wm D. Jones, J. B. F. Mills and D. M. Lipps the sum of three thousand dollars and legal interest thereon from the 26th day of May 1887; Subject however to a credit of one thousand dollars paid June 8th 1888; and that he recover the cost of this suit - And unless the defendants or some one for them pay the same within 30 days from the rising of this Court then A. L. Pickens who is hereby appointed a special commissioner for the purpose, will proceed as hereinafter directed to sell the land mentioned in the bill

and attached upon by the sheriff of this County, or so much thereof as may be necessary to pay and satisfy this decree, and upon which it is adjudged the plff by reason of said attachment has a lien.

~~He~~ ~~the~~ Said Commissioner will make sale thereof on some court day at the front door of the Court House of this County by public outcry to the highest bidder on a credit of Six and twelve months.

He will require the cost of suit & sale paid in hand and for the residue take bonds payable to himself as Comr bearing interest from day of sale with good personal security for the same.

But before proceeding to sell under this decree said Comr will execute before the Clerk of this Court a bond in a penalty of \$4000.⁰⁰ with good security, conditioned to duly perform the duties assigned him by this decree. He will ^{then} post notice, on the front door of the Court House of this County, and at two or more public places ^{in said County} one of which shall be in the neighborhood where the land

lies, for at least 30 days before sale
setting out time terms and place
of sale. But before the plaintiff shall
have the benefit of this decree or
sale shall be made hereunder, he
is required to execute bond in a
penalty of at least \$4000⁰⁰ and condi-
tioned to duly abide by and perform
any future order or decree made
in this Cause upon the coming in
and making defense hereto by the
non-resident defendant. Said
Commissioner will report his
action to this Court at some
future term & the Cause is con-
tinued.

Q 11.71
S 1.00
B 5.00
Ct 15.00
Estimate

Wm M. Young

v } Decree
} Fur Sale

Wm D. Jones et al
Dec. 9. 1888

Entered Dec. 6th 1888
Chas O.B. 173
Hyatt Co

Enter this
Dec. 6 1888.
H. S. M.

Virginia Lee County to wit:
This day A. S. Prudenore per-
sonally appeared before me & he
renewed and made oath
that he is informed and believe,
that Wm D. Jones is a non-
resident of the State of Virginia
and that he owns estate in the County
of Lee, viz the tract of land con-
veyed to him Wm M. Young & wife
see said deed. And further that
said Wm D. Jones J. B. H. Mills
and D. M. Lippis are as he is
informed and believe, justly in-
debted to Wm M. Young in the
sum of three thousand dollars
due one year after the 25th day
of May 1887, with interest from
said 25th day of May 1887, Sub-
ject to a credit of \$1000. paid of
~~\$1000.~~ paid June 8th 1888.
Given under my hand this
Oct 5th 1888.

J. A. Hyatt @

Wm M. Young

v. J. Affidavit

Wm D. Jones et al

Filed Oct 5th 1888.

J. A. Hyatt & Co.

This Deed made this 25th day of May in
the year one thousand eight hundred
and eighty seven between William M.
Young and Fannie R. Young his wife of
the county of Lee in the State of Virginia
of the first part, and William D.
Jones of the City of Philadelphia
of the second part, Witnesseth that
for and in consideration of the
sum of Ten thousand dollars paid
and to be paid as follows to wit:
one thousand dollars part of the said
sum of \$10,000⁰⁰ is to be paid three months
from this date with interest from this
date, Three thousand dollars other
part of the said sum of \$10,000⁰⁰ is
to be paid twelve months from
this date with interest thereon from
this date, Three thousand dollars
other of the said sum of \$10,000⁰⁰ is
to be paid two years from this date
with interest thereon from this date
and Three thousand dollars the
residue of the said sum of \$10,000 is
to be paid three years from this
date with interest thereon from
this date, the said parties of the
first part, have granted bargained

sold released and conveyed and
by these presents do grant bargain
sell release and convey unto the said
William D. Jones a certain tract or
parcel of land situated in the said
County of Lee in the Wild Cat Valley
on the head waters of the North
Fork of Clinch river and bounded
as follows to wit: Beginning at the
lower corner of Landers Tract of land
on the McBrady line, thence running
with said McBrady's line to a white
walnut ash and Elm at the lower
side of the road thence with the
McBrady line to a point on a ridge
opposite the Monroe Leg's dwelling
house thence running from the
McBrady line up the said ridge
or spur of the mountain to the lower
cliff of said mountain and thence
running around with the said lower
cliff up the valley a north easterly
direction to a point at said lower
cliff opposite the said starting point
at Landers corner and thence run-
ning down the mountain to Landers
said lower corner on the McBrady
line, Also one other tract of land

situated in said county of Lee in
The Wild Cat valley adjoining the before
mentioned tract and bounded as
follows to wit: Beginning on a
sugar tree beech and dogwood
and double birch at the foot of
a spur of Powell's mountain and
running N 54 W 48 poles crossing
a branch to a locust stump and
maple near a string branch S 66 W
214 poles along the foot of Wallin's
ridge to three white oaks S 27 W 196
poles to a birch and pointers in
a deep hollow among laurels S 32
E 150 poles crossing the branch to 3
white oaks on a ridge near the foot
of Powell's mountain thence along
the breaks of the mountain N 34
E 434 poles to the beginning contain
ing in both tracts, one thousand
acres be the same more or less.
To have and to hold the said
tracts of land unto the said William
D. Jones and his heirs forever, and
the said parties of the first part
herely warrant specially only the
first tract of land above described
and warrant generally the last

described tract of land,
Witness the following signatures
and seals the day and date
first above written.

W. M. Young seal
Fannie R. Young seal

Virginia }
Lee County } ss.

I, Carr Bailey a Commissioner
in chancery for the Circuit Court in and
for the County of Lee and State of
Virginia do certify that William M. Young
whose name is signed to the writing
above, bearing date the 25th day of
May 1887 has acknowledged the same
before me in my County aforesaid. Given under my hand
this the 26th day of May 1887.

Carr Bailey Comr in Chancery for
the Circuit Court of Lee County

State of Virginia } ss
County of Lee }

I, Carr Bailey a Commissioner in Chancery
for the Circuit Court in and for the County of Lee
and State of Virginia do certify that William M. Young
and Fannie R. Young his wife whose names are signed
to the writing above bearing date on the 25th day of May
1887 between acknowledged the same before me in my County

aforesaid and the said Fannie R. Young (Young) wife of
the said William M. Young personally appeared before us, in
our County and State aforesaid, by us and being ^{by us} examined
separately and apart from her husband and having the
writing aforesaid fully explained to her, she the said
Fannie R. Young acknowledged the said writing to be
her act and declared that she had willingly executed
the same and does not wish to retract it.

Given under our hands this the 26th day of May 1887

Carroll Bailey Comr in Chg

for the Circuit Court of Lee County

Virginia Lee County Court Clerk's office the 26th day
of May 1887. The foregoing Deed bearing date May
the 25th 1887 between William M. Young and Fannie
his wife of Lee County Virginia of the first part and
William D. Jones of the City of Philadelphia of the
second part was this day filed in this office and admitted
to record upon the certificate of Carroll Bailey a Commissioner
in Chancery for the Circuit Court of Lee County Vir-
ginia.

Teste John R. Gibson Clerk

Copy of the Record

Teste John R. Gibson Clerk

W. D. Jones
Trans Copy of Deed
Wm Jones & wife
Deed Book 22 P
287.

"Deed"

H. H. P. Henderson 1888
A. L. B. Henderson. 1888

}
}

Wm M. Young

Against

W. D. Jones Ital. S.

Les pencheurs.

The object of this writ is to attach and hold liable for the payment of the sum of \$2000. and legal interest thereon from the 25th day of May 1887. The following

of May 1887. The following
described tracts of land, sold
and conveyed by its self to the
defendant Wm D. Jones, viz:

Two certain tracts or parcels of land situated in Wild Cat valley on the head waters of the North Fork of Clinch River the first of which is bounded as follows viz: Beginning at the lower corner of the Sanders tract of land, on the McCracky line; thence running with said McCracky line to a white ~~oak~~ walnut ash and elm at the lower side of the road; thence with the McCracky line to a point on a ridge opposite the Monroe Leg's dwelling house; thence running from the McCracky line up the said ridge or spur of the mountain to the lower cliff of said mountain and thence

running around with the said
lower cliff, up the valley a north
easterly ~~course~~ direction to a point
at said lower cliff opposite the said
starting point at Sanders Corner
and thence running down the mountain
to Sanders said Corner, on the Mc
Crack line the beginning. And the
second tract bounded as follows
viz: Beginning on a Sugar tree
beech and dogwood and double
birch at the foot of a spur of
Powells Mountain and running
N. 54° W. 45 poles crossing a branch
to a locust stump and maple near
a strong branch; S. 66° W. 214 poles
along the foot of Wallers ridge to
three whiteoaks; S. 27° W. 196 poles
to a birch and pointers in a deep
hollow among laurels; S. 32 E. 150
poles crossing the branch to 3 white-
oaks on a ridge near the foot of
Powells Mountain; thence along the
~~branch~~ of the mountain N. 34° E. 434
poles to the Beginning containing
in said two tracts one thousand
acres be the same more or less
and which two said tracts have

been attached upon in the above
styled Cause, and sought to be
subjected to the payment of the
said sum of \$2000. as interest
from May 25th 1887.

Wm M. Young by
Wood & Freeman atty.

Lee County Court Clerk's Office October 5th 1888.

The foregoing Lis pendens of Wm M. Young
vs. W. D. Jones et als. was to-day filed in this office
and is admitted to Record

Wm John R. Gibson Clerk.

Wm M. Young

V. L. Lependus

W. D. Jones et al

Oct. 5th 1888 Recorded
in Dead Book No. 23
page 381.
Teste J. R. Gibson et al

I now all men by these presents
that we Wm M. Young and
are held and firmly
bound unto the Commonwealth of
Virginia in the just and full sum
of Four thousand (4000) Dollars
and for the prompt payment
thereof well and truly to be
made unto the said Commonwealth
we each bind ourselves heirs &c
and we as to this bond waive
our Homestead & all other exem-
ptions, Witness our hands
and seals this day of
188.

The Condition of the above
obligation is such that
whereas the above bound
Wm M. Young instituted in
Lee Circuit Court a Chancery
suit vs Wm D. Jones et al and
obtained a Decree therein
for the sale of certain lands
mentioned in said Bill,
But before he was to have
the benefit of said Decree as
against said Jones he being
a non resident, he was

required to execute this bond to
abide by and perform any future
orders and decrees which may
be made in this cause, upon
the coming in and making
defense thereto by the non-resi-
dent defendants. Now therefore
should the said Young so do
then this obligation to be void
otherwise to remain in full
force and virtue.

Wm M Young

Wm D. Jones et al
Plffs
vs
Bond
Wm M Young

Known all men by these presents that
We A. L. Bidmore and J. A. G. Syatt are
held and firmly bound unto the Comth
of Virginia in the just and full sum
of Four thousand Dollars, and
for the prompt payment thereof well
and truly to be made unto the said
Commonwealth, we each bind ourselves,
heirs &c, and we as to this bond
waive our Homestead & all other
exemptions. Witness our hands and
seals this 20th day of December
1888. The Condition of the
above obligation is such that
whereas the above bond A. L.
Bidmore was, by a Decree
entered in the Chancery Cause
of Wm. M. Young vs Wm. D. Jones
& al on the 6th Decr. 1888, appoin-
ted a Special Comr, and directed
upon certain Conditions to make
sale of certain Lands mentioned
in said Decree. Now therefore
should the said Bidmore
faithfully perform the duties
resigned him and properly
account for all sums of money
he may receive as such

Cons. then this obligation to
be void otherwise to remain
in full force & virtue

Geo
Dodd

Wm. M. Young
in Court Bond
Wm. D. Jones et al

Virginia:

In the Clerk's Office of
the Circuit Court for Lee County
on the 5th day of October 1888.

Wm. M. Young

Plff

vs
Wm. L. Jones et al

Defts

In Chancery

The object of this suit
is to recover against the
defendants 2000⁰⁰ the bal due
~~all~~ the bond exhibited in said
Bill and interest thereon from
the 25th day of May 1887, until paid
and costs of suit, and to subject
to the payment thereof the lands
in the Bill mentioned which has
been attached for the purpose.

And it appearing from an affidavit
filed in this Cause that the Defendants
D. M. Lippes & Wm. L. Jones are now resident of this
State: It is therefore ordered that
he appear here within 15 days after
due publication of this order and
do what may be necessary to protect
his interest in this suit.

A copy

Wood and Tidemore P. Q's

Teste J. A. G. Hyatt c.c.

Wm M. Young
vs Order Puke
Wm D Jones et al

I Certify that I
delivered an office
Copy of this order
to the C. Eagle for
publication on the
5 day of October
1888 and pasted
a like Copy thereof
on the front door
of the Court house
at the Nov Term
1888 of the County
Court.

J. A. Hixth
Clerk

tracts containing 1000 acres be
the same more or less.
And not executed on J. B. F. Mills
and D. M. Lipps they not being in
my bailiwick, and not executed
of J. B. F. Jones he being a non-
resident, this October 5th 1888.
R. D. Blaney D. C. C.

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

J. B. F. Jones J. B. F.
Mills and D. M. Lipps

appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday
November next, being rule day to answer a bill in Chancery exhibited in our said Court

against *them* by *J. M. Young*

and have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *5th* day of *October* 1888, in the 11th year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste

The Commonwealth of Virginia.

To The Sheriff Of ^{Mrs} Lee County Greeting:

We Command You to Summon

Wm. L. Jones
J. B. F. Mills and E. M. Lipps

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in *November* next, being rule day to answer a bill in Chancery exhibited in our said Court against *them* by *Wm. M. Young*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.
This *5th* day of *October* 18*88*, in the 11*3* year of the Commonwealth.

A Copy Teste

J. A. G. Hyatt Clerk.
J. A. G. Hyatt & Co.

For
J. B. F. Mills

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

Mr. D. Jones
J. B. L. Mills and D. M. Lipps.

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday
in *November* next, being rule day to answer a bill in Chancery exhibited in our said Court
against *them* by *Mr. M. Young*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.
This *5th* day of *October* 18*88*, in the 11th year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste

WV P

Wm M. Young

33 Spainchey

Wm D. Jones et al

Lo 1st Rule Nov. 1888

Extended Com

J B H. Miller

By 'Lucy' and
with the White Cat

General Com

Wm D. Jones &

J B H. Miller

C. H. Wells &

Lo 1st Rule

Nov. 1888